

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

TRANSLATION

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

Date of mailing (day/month/year)	See form PCT/ISA/210
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Applicant's or agent's file reference 2003P16866WO		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/EP2004/051787	International filing date (day/month/year) 13.08.2004	Priority date (day/month/year) 24.02.2004	
International Patent Classification (IPC) or both national classification and IPC H04L12/28			
Applicant SIEMENS AKTIENGESELLSCHAFT			

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I Basis of the opinion
<input checked="" type="checkbox"/>	Box No. II Priority
<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI Certain documents cited
<input type="checkbox"/>	Box No. VII Certain defects in the international application
<input type="checkbox"/>	Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I	Basis of this opinion
<p>1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p> <p>2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p> <p>3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p> <p>4. Additional comments:</p>	

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Box No. II Priority

1. The following document has not yet been furnished:
 - copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 - translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

The International Searching Authority has not been able to consider the validity of the priority claim because a copy of the priority document was not available to the International Searching Authority at the time that the search was conducted (Rule 17.1). This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 9	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 9	YES
	Claims		NO

2. Citations and explanations:

1. This report makes reference to the following document:

D1: GERLA M ET AL. "MULTICLUSTER, MOBILE, MULTIMEDIA RADIO NETWORK" WIRELESS NETWORKS, ACM, US, vol. 1, no. 3, 1 October 1995 (1995-10-01), pages 255-265, XP000538239 ISSN: 1022-0038

2. Document D1 is regarded as the closest prior art and discloses (the references between parentheses relate to this document):

a method for packet-switching data transmission in a self-organizing radio network having at least one first and one second radio supply area (page 260, right-hand column, paragraph 3.4), from which the subject matter of independent claim 1 differs in that:

data which originates from the first radio supply area is passed on to the second radio supply area in such a manner that the first central control device controls the transmission channels which are available to the first radio supply area, both for

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data transmission between the first central control device and the intermediate station and for data transmission between the intermediate station and the second central control device.

2.1 The subject matter of claim 1 is thus novel (PCT Article 33(2)).

The problem addressed by the present invention can therefore be considered that of allowing more effective data interchange between radar supply areas, since the first central control device also controls the transmission channels in the second radio supply area for data transmission between the first and the second data supply area.

2.2 The solution proposed to this problem in claim 1 of the present application is neither disclosed in the prior art nor is obvious from it, and thus involves an inventive step (PCT Article 33(3)).

2.3 Claims 2-7 are dependent on claim 1, and thus likewise meet the PCT requirements for novelty and inventive step.

2.4 The other independent claims 8 (intermediate station) and 9 (control device) correspond to independent claim 1, and are thus likewise novel and inventive (PCT Article 33(2), (3)).